

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

ST. LOUIS COUNTY, MISSOURI, )  
                                  )  
Plaintiff,                   ) Cause No. 4:20-CV-655 RLW  
                                  )  
v.                             )  
                                  )  
HOUSE OF PAIN GYM SERVICES, LLC, )  
et al.,                        )  
                                  )  
Defendants.                  )

**PLAINTIFF ST. LOUIS COUNTY, MISSOURI'S  
MOTION FOR LEAVE TO FILE EXPEDITED, SHORT BRIEF**

COMES NOW, Plaintiff St. Louis County, Missouri ("Plaintiff"), by and through its undersigned counsel, and respectfully moves the Court for leave to file an expedited, short brief in further support of its Amended Motion for Temporary Restraining Order and, as applicable, opposition to Defendants' Motion to Dismiss. In support of this Motion, Plaintiff states as follows:

1. On the afternoon of May 19, 2020, Defendants filed a 49-page Memorandum in Support of their Motion to Dismiss. (ECF No. 20.)
2. This matter was set for hearing on Plaintiff's Amended Motion for Temporary Restraining Order at 3:00 p.m. on May 20, 2020. (ECF No. 21.) Plaintiff's Motion to Dismiss was also heard at the hearing. (*See* ECF No. 22.)
3. Plaintiff worked as expeditiously as possible in responding to Defendants' Memorandum in Support of their Motion to Dismiss in the 24 hours before the hearing. Plaintiff filed its Memorandum shortly after noon on May 20, 2020. (*See* ECF No. 27.)
4. Following the hearing, per the Court's permission granted at the hearing, Defendants filed a 16-page Reply in Support of their Motion to Dismiss. (*See* ECF No. 33.)

5. Plaintiff requests leave to file a short brief, not to exceed five (5) pages, in further support of Plaintiff's Amended Motion for TRO and, as applicable, opposition to Defendants' Motion to Dismiss. Plaintiff would file said brief no later than 11:59 p.m. tonight, May 21, 2020.

WHEREFORE, Plaintiff St. Louis County, Missouri respectfully requests that the Court grant its Motion, permit Plaintiff until 11:59 p.m. to file a brief, not to exceed five pages, in further support of its Amended Motion for Temporary Restraining Order and, as applicable, opposition to Defendants' Motion to Dismiss, and such other and further relief as the Court deems just and proper.

Respectfully submitted,

**BETH ORWICK  
COUNTY COUNSELOR**

Dated: May 21, 2020

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and

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